

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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E. DEMARINO TRUCKING, INC.,

Plaintiff,

ORDER

- against -

No. 20-CV-4774 (CS)

TOWN OF TUXEDO,

Defendant.

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Seibel, J.

Upon consideration of Defendant Town of Tuxedo's proposed order to show cause why an order should not be issued directing Plaintiff E. DeMarino Trucking, Inc. to remove its equipment from a parcel of land located at 984 Long Meadow Road, Tuxedo, New York (the "Premises"), together with the affirmation, exhibits, and memorandum of law submitted in support thereof, (Docs. 21-23), as well as the other filings on the docket, and in accordance with the agreement that the parties reached at a conference held by the Court today, it is hereby:

ORDERED that Plaintiff shall remove all three pieces of its equipment from the Premises no later than August 10, 2020; and it is further

ORDERED that Plaintiff shall provide Defendant with two full business days' notice as to the date and time of the removal of equipment; and it is further

ORDERED that Defendant may have its personnel present at the Premises during removal; and it is further

ORDERED that removal shall occur only on business days and shall be completed by 8:00 p.m; and it is further

ORDERED that Plaintiff shall apply for all necessary permits by July 31, 2020.

SO ORDERED.

Dated: July 30, 2020
White Plains, New York



CATHY SEIBEL, U.S.D.J.